

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF DELAWARE

IN THE MATTER OF THE APPLICATION)
OF MIDAMERICAN ENERGY SERVICES,)
LLC FOR A CERTIFICATE TO PROVIDE)
ELECTRIC SUPPLY SERVICES WITHIN) PSC DOCKET NO. 15-1122
THE STATE OF DELAWARE)
(SUBMITTED JULY 15, 2015; FILED)
OCTOBER 21, 2015))

ORDER NO. 8809

ELECTRIC SUPPLIER CERTIFICATE

This 3rd day of November, 2015, the Public Service Commission (the "Commission") determines and orders the following:

WHEREAS, on October 21, 2015, MidAmerican Energy Services, LLC ("MidAmerican") filed an application (the "Application") pursuant to 26 Del. C. §1001 - §1020, the Electric Utility Restructuring Act (the "Act"), and 26 Del. Admin. C. §3001, the Commission's Rules for Certification and Regulation of Electric Suppliers (the "Supplier Rules"),¹ seeking certification as a retail electric supplier in order to provide Electric Supply Service; and

¹ Unless otherwise noted, capitalized terms shall have the meanings ascribed to them in the Act and the Supplier Rules.

WHEREAS, in the Application, MidAmerican stated it is seeking certification as an Electric Supplier² that will utilize appropriate energy procurement strategies to meet the needs of residential, small commercial, large commercial, and industrial customers in Delaware; and

WHEREAS, as required by §3001-2.2 of the Supplier Rules, MidAmerican provided to the Commission Staff ("Staff") the appropriate affidavits of publication showing that notice of the Application was published in the Delaware State News on August 18, 2015, and in The News Journal on August 21, 2015. Staff has confirmed that no one has filed any interventions, protests, or comments in this docket to date; and

WHEREAS, as more specifically detailed in its Memorandum to the Commission, Staff reports that the Application fulfills all of the requirements set forth in the Act and the Supplier Rules for an Electric Supplier Certificate to act as an Electric Supplier and that MidAmerican has specifically presented substantial evidence supporting its financial, operational, managerial, and technical ability to operate as a Supplier of Electric Supply Service within the State of Delaware. Therefore, Staff recommends that the Commission issue an Electric Supplier Certificate authorizing MidAmerican to offer Electric Supply

² Pursuant to §1001(3) of the Act, "Electric Supplier" is defined as an entity or person certified by the Commission, including municipal corporations which choose to provide electricity outside their municipal limits (except to the extent provided prior to February 1, 1999), Broker, Marketer or other entity (including public utilities and their affiliates, e.g., Delmarva), that sells electricity to Retail Electric Customers, utilizing the Transmission and Distribution Facilities of an Electric Distribution Company.

Service within the State of Delaware consistent with the scheme adopted by the Act and the Supplier Rules;

**NOW, THEREFORE, IT IS HEREBY ORDERED BY THE AFFIRMATIVE
VOTE OF NOT FEWER THAN THREE COMMISSIONERS:**

1. MidAmerican is hereby granted a certificate to do business and operate as an "Electric Supplier" within the State of Delaware. Under this Electric Supplier Certificate, MidAmerican is authorized to provide Electric Supply Service within the State of Delaware consistent with and in accordance with the Act and the Supplier Rules.

2. MidAmerican is hereby notified that a violation of any applicable order, statute, regulation, rule, or other controlling authority may be enforced by sanctions permitted by §§1012(a) and 1019 of the Act and §3001-10.2 of the Supplier Rules.

3. MidAmerican shall file such reports and pay such fees and assessments as may be required or imposed by 26 *Del. C.* §§114, 115, and 1012(c)(2) and §§3001-3.9 and 3.10 of the Supplier Rules.

4. MidAmerican consents to the jurisdiction of the courts of the State of Delaware for all acts or omissions related to its offering of Electric Supply Services in this State.

5. MidAmerican is hereby placed on notice that the costs of this proceeding will be charged to it pursuant to 26 *Del. C.* §114(b)(1).

6. The Commission reserves the jurisdiction and authority to enter such further Orders in this matter as may be deemed necessary or proper.

BY ORDER OF THE COMMISSION:

Chair

Commissioner

Commissioner

Commissioner

Commissioner

ATTEST:

Secretary